

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>47134.0106</b>
INTERNATIONAL APPLICATION NO. <b>PCT/US03/40895</b>		INTERNATIONAL FILING DATE <b>12/22/2003</b>
TITLE OF INVENTION <b>Cursor Control Device</b>		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/537525</b>
APPLICANT(S) FOR DO/EO/US <b>Bynum, et al.</b>		PRIORITY DATE CLAIMED <b>12/20/2002</b>

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☒ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/537525</b>		INTERNATIONAL APPLICATION NO. PCT/US03/40895		ATTORNEY'S DOCKET NUMBER 47134.0106	
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee..... \$300				\$ 300	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$ 100	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$ 100	
<b>TOTAL OF 21, 22 and 23 =</b>				\$ 500	
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
128 - 100 =	28 /50 =	1	x \$250	\$ 250	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	146 - 20 =	126	x \$ 50	\$ 6,300	
Independent claims	7 - 3 =	4	x \$200	\$ 800	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 7,850	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				3,925	
<b>SUBTOTAL =</b>				\$ 3,925	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
<b>TOTAL NATIONAL FEE =</b>				\$ 3,925	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 40
<b>TOTAL FEES ENCLOSED =</b>				\$ 3,965	
				Amount to be refunded:	\$
				Amount to be charged:	\$

- a. ☒ A check in the amount of \$ 3,965 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2225. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

George R. Schultz  
Schultz & Associates, P.C.  
5400 LBJ Freeway  
Suite 1200  
Dallas, TX 75240

SIGNATURE

George R. Schultz

NAME

35,674

REGISTRATION NUMBER

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: BYNUM, ET AL.  
Serial No.: Not yet assigned  
Filed: Herewith  
Title: CURSOR CONTROL DEVICE

MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE OF MAILING**

The undersigned hereby certifies that the following documents:

- 1) Transmittal Letter to the United States Designated/Elected Office (DO/EO/US), Form PTO-1390;
- 2) Declaration for Utility or Design Patent Application, Form PTO/SB/01;
- 3) Information Disclosure Statement by Applicant, Form PTO/SB/08A;
- 4) Preliminary Amendment;
- 5) Assignment;
- 6) Recordation Form Cover Sheet, Form PTO-1595;
- 7) Check in the amount of \$3,965.00;
- 8) Express Mail Certificate; and
- 9) A postcard receipt.

relating to the above application, were deposited as "Express Mail", Mailing Label No. EU 570370125 US, with the United States Postal Service, addressed to MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **June 3, 2005**.

  
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Mailer